DNR Comments

From:

DNR Comments

Sent:

Friday, July 20, 2018 11:23 AM

To:

'Michelle Styczynski'

Subject:

RE: Comment on Rules for Cabwaylingo State Forest Trail System Two Year Pilot Project

Permittings ATVs and ORVs

Ms. Styczynski,

Your comments on the proposed rule for ATV and ORV use in the Cabwaylingo State Forest System have been received and your opposition to allowing ATVs and ORV's on roads within the trail system due to safety hazards is noted. Legislation passed during the 2018 regular session of the West Virginia Legislature required the establishment of this pilot project by the Division. In development of rules for a recreational activity with recognized inherent risks, the Division continues to prioritize safety requirements and practices. Your comments are appreciated and will be retained and reviewed by the agency during the development of the final rule.

Matt Yeager, District Administrator Parks and Recreation Section West Virginia Division of Natural Resources 324 4th Avenue, Room 219 South Charleston, WV 25303

From: Michelle Styczynski <mstyczynski@consumerfed.org>

Sent: Wednesday, July 18, 2018 5:44 PM

To: DNR Comments < DNRComments@wv.gov>

Subject: Comment on Rules for Cabwaylingo State Forest Trail System Two Year Pilot Project Permittings ATVs and ORVs

West Virginia Division of Natural Resources 324 Fourth Ave South Charleston, WV 25303 July 18, 2018

Dear Ms. Greene:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are submitting this comment to the West Virginia Division of Natural Resources in response to the Notice of Public Comment regarding a proposed rule to regulate the two-year pilot project permitting ATVs and ORVs on designated roads and trails in Cabwaylingo State Forest. We are writing to express opposition to increasing ATV and OHV access on designated roads and trails in Cabwaylingo State Forest.

Tragically, we have identified 119 OHV-related deaths in West Virginia from 2013-2018 (as of June 30, 2018). Of these deaths, 90 (76%) occurred on-road, 23 (19%) occurred off-road, and 6 (5%) occurred in an unknown location. Unfortunately, these numbers may continue to rise as we gather more data.

Allowing OHVs to use public roads suggests to the public that roadway riding is a safe and responsible use of OHVs when in fact, industry, regulators, and consumer and public health and safety advocates, all agree that OHVs are not safe on public roads.

We write to communicate the dangers of allowing OHVs on roads and hope that this information will help inform any policy decision you make.

Off-Highway Vehicles

There are two main categories of OHVs—neither of which are designed for roadway use and should not be allowed on public roads.

- * All-Terrain Vehicles (ATVs): ATVs are "off-road, motorized vehicles having three or four low-pressure tires, a straddle seat for the operator, and handlebars for steering control." [1]
- Recreational Off-Highway Vehicles (ROVs): ROVs have "four or more wheels with low pressure tires; bench or bucket seating for two or more occupants; automotive-type controls for steering, throttle, and braking; rollover protective structures (ROPS); occupant restraint; and maximum speed capability greater than 30 mph." [2]

More ATV and ROV Deaths Occur On Roadways than Off-Road

While there is federal ATV fatality data, there is a lack of ROV fatality data. To fill this need, our coalition has started collecting data on ROVs to give decision makers a better sense of the dangers posed by OHVs besides ATVs. See our data and analysis on our OHV webpage have.

- ATV Roadway Crashes: ATV crashes on the road account for over 60% of ATV-related deaths and over 30% of serious ATV injuries. [3] Roadway crashes are more likely to involve multiple fatalities, collisions and head injuries. Victims in roadway crashes were less likely to be wearing protective gear such as helmets and were more likely to be carrying passengers, both things that are risk factors for ATV-related fatalities and injuries. From 1998-2007, roadway fatalities increased twice as fast as those off-road. [4] The National Highway Traffic Safety Administration released ATV-related fatality statistics for public roads showing that there were 3,411 deaths from 2004-2013, with 323 in 2013 alone. [5]
- * ROV Roadway Crashes: There is much less data on the number and nature of ROV crashes in comparison to ATVs, but from 2013-2017 our coalition identified 472 ROV fatalities. The crash site could be identified in 457 of the 472 deaths. Of those 457 fatalities, 267 (57%) occurred on-road and 190 (40%) occurred off-road. As our coalition continues to gather more data, these figures may rise.

OHV Design Contributes to Roadway Deaths and Injuries

Ultimately, OHVs are not safe on roads because they were not designed for roadway use.

- OHVs^[6] have a relatively narrow track and high-center of gravity: These design features allow for riding in wooded areas and between obstacles, and provide high ground clearance for rough terrain. However, these features put OHVs at a higher risk for rollovers, [7] and require "that the vehicle takes wider turns than are found in standard road design." [8]
- OHVs have low-pressure, deep tread tires designed for off-road use: Automobile tires have relatively shallow tread and are designed to continually grip and release roadway surfaces. In contrast, OHV tires are made to grab off-road terrain and can act unpredictably on roadway surfaces especially with increasing speed. The operator can easily lose control of the vehicle, potentially endangering the OHV rider, occupants of other vehicles, pedestrians, and bicyclists.
- Most ATVs lack a rear differential: Most ATVs have a solid rear axle or locked rear differential which means that both the inside and outside wheels rotate at the same speed, unlike motor vehicles designed for roadways. This often requires that the OHV "take wider turns than are found in standard road design," [10] and makes it more difficult for OHVs to negotiate roadway curves, especially at the speeds often traveled on roads.

Industry Associations Warn Against OHV Use on Public Roads and Paved Surfaces

Both ATV and ROV trade associations warn against riding OHVs on roadways. The Specialty Vehicle Institute of America (SVIA), a not-for-profit association representing ATV manufacturers and dealers, has a strong policy statement against the use of ATVs on public roads. A training manual for ATV riders from the ATV Safety Institute, a division of SVIA, states:

Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads, and always avoid paved surfaces. ATVs are not designed for use on public roads and other motorists may not see you. ATVs are not designed to be used on paved surfaces because pavement may seriously affect handling and control." [11]

Further, the SVIA makes clear that:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.^[12]

The Recreational Off-Highway Vehicle Association (ROHVA) also directs riders to "avoid paved surfaces. ROVs are designed to be operated off-highway." These statements show that the manufactures of these vehicles, those who know the vehicles better than anyone, know that they should not be operated on roads. In addition to these statements from OHV trade associations, ATVs and ROVs are also required to have labels indicating that they should not be operated on paved roads or on public roads.

Unpaved and Rural Roads are Not Safe for OHV Use

Many of the warnings against riding OHVs on roadways specifically mention the hazards of paved roads. While these warnings are accurate they are not sufficient and could incorrectly imply that unpaved roads are safe for OHV use.

A 2015 starty of national ATV-related fatalities occurring from 1985-2012, found that in twenty-three states half or more of ATV roadway deaths occurred on unpaved road surfaces and that 42% of all ATV roadway deaths during this time period (6,625) took place on unpaved roads. In addition, more than two-thirds of all roadway ATV fatalities (paved and unpaved) did not involve another motor vehicle. This means that low traffic volume on rural roads does not necessarily translate into fewer deaths and injuries. In fact, riders in serious roadway crashes that occur on more remote roads may be at increased risk of death because of longer distances to trauma centers. While there is not yet similar data available for ROVs, given that ROVs are also designed for off-road use with similar design elements, there is no evidence supporting the idea that they would be safe on unpaved roads.

Additional Information

The latest research about OHVs on roadways and OHV death and injuries, as well as a list of members of a national coalition formed to address this public health crisis and the advocacy efforts undertaken by this coalition are available <u>lists</u>.

We urge opposition to any proposal to allow OHV use on public roads because doing so places the public, including OHV operators, pedestrians, bicyclists, and all motor vehicle drivers and their passengers at unnecessary risk.

We hope that you will consider these comments, and if we can be of any further assistance, please feel free to contact Michelle Styczynski at Consumer Federation of America at mstyczynski acconsumer federation of America at mstyczynski accoust account federation of America at mstyczynski account federation account

Sincerely,

Rachel Weintraub Legislative Director and General Counsel Consumer Federation of America

Mary Aitken. MD MPH Director, Injury Prevention Center at Arkansas Children's Hospital

Carolyn Anderson Co-Founder Concerned Families for ATV Safety

Michelle Styczynski Research Advocate Consumer Federation of America

Sue DeLoretto-Rabe Co-Founder Concerned Families for ATV Safety

Gerene Denning, PhD
Emergency Medicine
University of Iowa
Iowa ATV Injury Prevention Task Force

Benjamin Hoffman MD FAAP Professor of Pediatrics Medical Director, Doernbecher Children's Safety Center Portland, OR Charles Jennissen, MD Emergency Medicine University of Iowa Iowa ATV Injury Prevention Task Force

Katie Kearney
Concerned Families
for ATV safety Member
Sean's Law
Massachusetts Safety Advocate

Ben Kelley Director, Injury Control Policy The Trauma Foundation San Francisco General Hospital San Francisco, CA

Robin D. Schier, DNP, APRN, CPNP AC/PC Pediatric Emergency Medicine Texas Children's Hospital Houston, Texas

Gary A. Smith, MD, DrPH President, Child Injury Prevention Alliance

Gordon S. Smith, MD (MB.CbB, Otago), MPH Professor, Department of Epidemiology & Public Health University of Maryland School of Medicine Charles "McC" Mathias National Study Center for Trauma and EMSShock, Trauma and Anesthesiology Research – Organized Research Center

- 91. www.cpsc.gov/Global/Newsroom/FOLA/CommissionBriefingFackages/2014/SafetyStandariforRecreationalOff-HisbwayNebicles-ProposedBule.celf
- Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. http://www.nchi.nlm.nih.gov/pmc/smicles/PMC3717765/
- 15] NHTSA, Fatalities in Traffic Crashes Involving All-Terrain Vehicles. http://www-ardinables.doi.gov/?ade/812193.pdf
- ⁶³ The Denning paper cited below deals with ATVs but the CPSC Briefing Package on the Proposed ROV Rule, Pg. 518, notes that ROVs are designed with narrow track widths and high ground clearance for use on off-road trails which results in a high risk of rollovers. <a href="https://www.cpsc.gov/Giobal/Newswoors/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreations/Off-HighwayVehicles-ProposedRole.com/FO/A/CommissionBriefingPackages/2014/SafetyStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecreationStandardforRecr
- Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. http://www.ncbl.nim.nih.acv/nmc/articles/EMC3717785/
- ^[9] Id. Discussing ATV tires. The CPSC Briefing Package, Pg. 410. Also defines ROVs as having low pressure tires. This allows one to infer that both categories of OHVs discussed here will have tires that are not suitable for on-road use and will have similar problems when used on-road as those described for ATVs in the 2012 report cited above.
- www.epsc.gov/Global/Newsroom/FOIA/CommissionBricfingPackages/2014/SafetyStandardforRecreationalOff-Highway Yehicles-EmposedRule,pdf
- Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off. increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012. http://www.nebl.nim.mb.gov/sma/smides/PMC3717765/
- [11] Tips and Practice Guide for the All-Terrain Vehicle Rider, ATV Safety

Institute. http://stvssfety.org/downloads/ATV_Riding_Tips.pdf

- [12] Specialty Vehicle Institute of America, Position in Opposition to On-Road Operation of
- ATVs. http://www.svis.org/Downloads/PositionPaperOpposingOn-BoadUsc.pdf
- [13] ROV Safety Rules. http://www.nohya.org/

^[13] CPSC, 2013 Annual Report of ATV-Related Deaths and Injuries, February 2015. <a href="https://www.spsc.gov//Global/Research-and-Statistics/Injury-Injury-Injur

Greene, Wendy L

From: Greene, Wendy L

Sent: Friday, June 29, 2018 4:33 PM

To: 'Dave Truban' **Subject:** RE: ATV and ORV

Dave,

Your opposition to ATV and ORV use on any state owned lands has been received. Please be assured that your comments will be used in our overall evaluation of the Cabwaylingo State Forest two year pilot project permitting ATV's and ORV's. Thank you for your concerns and we certainly hope that you will continue to enjoy our WV State Parks and Forests.

John M. (Matt) Yeager District Administrator

Division of Natural Resources Parks and Recreation Section 324 4rth Avenue South Charleston, WV 25303 (304) 558-2764

----Original Message From: Dave Troban <

Sent: Friday, June 29 Will Will Ville Vill

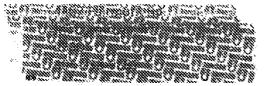
To: Greene, Wendy L < Wendy. L. Greene@wv.gov>

Subject: ATV and ORV

Wendy

I am totally opposed to creating ATV and OTV trails on any State owned land! State Forest and WMA. Thank you

Dave Truban



Sent from my iPhone

Greene, Wendy L

From: Greene, Wendy L

Sent: Friday, June 29, 2018 4:00 PM

To: 'Camron Stover'

Subject: RE: Rules for Cabwaylingo State Forest Trail System

Camron.

Your comments about the two year pilot project permitting ATV's and ORV's on Cabwaylingo State Forest have been received and will be used in our overall evaluation of the pilot program. We agree that we do not wish to see these public lands damaged. We will be planning the multi-use trails on road/trail routes capable or specifically designed in a manner to handle multiple uses such as equestrian, mountain biking, ATV, and ORV users. Your concerns that this rule provides a gateway for ATV trail riding to additional public lands will be kept on file and considered when the two year pilot ends. Thank you for your concerns and we certainly hope that you will continue to enjoy our WV State Parks and Forests.

John M.(Matt) Yeager

District Administrator

Division of Natural Resources Parks and Recreation Section 324 4rth Avenue South Charleston, WV 25303 (304) 558-2764



From: Camron Stover «

Subject: Rules for Cabwaylingo State Forest Trail System

Wendy,

I would like like to make a comment on the Rules for Cabwaylingo State Forest Trail System. I do not want ORV's on our public lands that were not purchased/acquired for the initially for recreational activities such as ATV trail riding. I do not support the state's enchroacment on WV's State Forests. I fear that this two-year pilot program is a dangerous gateway to additional public land threats.

Also, I request that the state conduct and ecological study to ensure the development and operation of OHV's within the State Forest does not interfere with the delicate ecosystem within Cabwaylingo State Forest. WV residents do not want to see our public lands damaged by the use of OHV's. These properties are the only safe haven from OHV;s within our state and the thought of losing that scare me.

I do not support the two year pilot program on Cabwaylingo State Forest. Below is a few more signatures of people that agree with me on this issue. I also have hard copies of additional signatures in my possession.

Protect West Virginia's Public Land



Protect West Virginia's Public Land

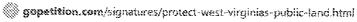
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Thank you, Camron Stover

P.S. If I did not make the appropriate contact in regards to my public comments, please let me know how and where to send my comments.

Protect West Virginia's Public Land



About us

Public Signature List

Мар RSS

#	Title	Name	\$/C/P	Region	Comment	Date
1	N/G	Camron Stover	West Virginia	USA	View	Dec 09, 2017
2	N/G	Connor Akers	West Virginia	N/G	N/G	Dec 09, 2017
3	Mr.	Kirkland Price	West Virginia	N/G	N/G	Dec 09, 2017
4	N/G	Josh Workman	Wv	USA	N/G	Dec 09, 2017
5	N/G	Lydia Stover	WV	USA	N/G	Dec 09, 2017
6	Mi	Ancaymous	W٧	USA	N/G	Dec 09, 2017
7	N/G	James Goodman	Wv	USA	N/G	Dec 09, 2017
8	Mr.	Anonymous	Wv	USA	N/G	Dec 09, 2017
9	Mr	Jordan Knotts	West Virginia, Wood County	USA	N/G	Dec 09, 2017
10	N/G	Joel Barnosky	West Virginia	USA	View	Dec 09, 2017
11	Mr	Colin Bennett	Wv	N/G	N/G	Dec 09, 2017
12	Mr	Tino Medina	Wv	USA	View	Dec 09, 2017
13	N/G	Mark Edwards	WV	USA	View	Dec 09, 2017
14	Mr	Joe Thacker	1687 AutobRd	USA	N/G	Dec 09, 2017
15	Mr	Anonymous	Wv	USA	N/G	Dec 09, 2017
16	Ðr	Gregory Burnette	Kanawha county	N/G	View	Dec 09, 2017
17	N/G	Eddie Adams	West Virginia	N/G	N/G	Dec 09, 2017
18	N/Ģ	John Rucker	WV	USA	N/G	Dec 09, 2017
19	Mr	Grant Lemon	Wv	USA	N/G	Dec 09, 2017
20	N/G	Richard Richardson	West virginia	USA	N/G	Dec 09, 2017
21	N/G	Anonymous	West Virginia	USA	N/G	Dec 09, 2017
22	N/G	Doug Price	West Virginia	USA	N/G	Dec 09, 2017
23	Mr	Rickie Dunlap	West Virginia	USA	View	Dec 09, 2017

#	Title	Name	S/C/P	Region	Comment	Date
24	Mr	Tyler Dean	West Virginia	USA	N/G	Dec 09, 2017
25	N/G	Tyler Thompson	WV	USA	N/G	Dec 09, 2017
26	Me.	Richard Fenney	Wv	N/G	View	Dec 09, 2017
27	Mr.	Jeremy Smith	WV, Wayne	USA	N/G	Dec 09, 2017
28	Mr	Aharon Davis	W	USA	View	Dec 09, 2017
29	N/G	Anonymous	West Virginia	N/G	N/G	Dec 09, 2017
30	Mr	Oliver Smith	WV	N/G	N/G	Dec 09, 2017
31	Mr	Anonymous	Wv	USA	N/G	Dec 09, 2017
32	N/G	Anonymous	₩v	N/G	N/G	Dec 09, 2017
33	N/G	Bill Arbogast	West Virginia	USA	N/G	Dec 09, 2017
34	Mr	Matthew Lonsinger	W	USA	N/G	Dec 09, 2017
35	Mr	Todd Varner	West Virginia	USA	N/G	Dec 09, 2017
36	Mr	Anonymous	West Virginia	USA	View	Dec 09, 2017
37	N/G	Brian Butcher	West Virginia	USA	View	Dec 09, 2017
38	N/G	Anonymous	КУ	USA	N/G	Dec 09, 2017
39	Mr.	George Hamrick	West Virginia	USA	View	Dec 09, 2017
40	N/G	L.G. Shea	WV	USA	N/G	Dec 09, 2017
41	N/G	Austin Gent	WV	USA	N/G	Dec 09, 2017
42	N/G	Arionymous	West Virginia	N/G	N/G	Dec 09, 2017
43	Mr	Randy Strawser	W	USA	View	Dec 09, 2017
44	Mr.	Colton Hammond	W	USA	N/G	Dec 09, 2017
45	Mr	Tom Givens	West Virginia Brooke County	N/G	View	Dec 09, 2017
46	N/G	Anceymous	West Virginia	USA	N/G	Dec 09, 2017
47	Mr.	Cody Carnefix	WV, Putnam	USA	View	Dec 09, 2017
48	N/G	Jake McLaughlin	Wv	USA	View	Dec 09, 2017
49	Mr	Joshua Bias	Nc	USA	N/G	Dec 09, 2017
50	N/G	Ananymous	W	USA	N/G	Dec 09, 2017

Signatures 1 to 50 of 44?

- Dates displayed in the signature list are based on UTC/GMT
- * Anonymous signatures signify people who have chosen not to display their names publicly
- A comment in red indicates that the signer has hidden their comment from public view



Division of Natural Resources

324 4th Avenue, From 342 South Charleston, WV 25363-1228 Telephone (304) 558-2754 Fax (304) 558-2756 TOO (304) 558-1438 TOO (800) 354-5097

> Stephen S. McDaniel Oirector

> > July 13, 2018

Joe and Dede Carney

Thank you for submitting your comments concerning the proposed agency rule relating to Cabwaylingo ATV use. To clarify the circumstances surrounding the need to develop this new rule, legislation was passed during the 2018 session which authorized the creation of the two-year pilot project permitting ATV's and ORV's in Cabwaylingo State Forest. This legislation requires the establishment of the pilot program. The Division has developed the proposed rule with the purpose of providing for the effective regulation of all terrain or off-highway recreational vehicles on designated roads and trails in Cabwaylingo State Forest.

Your opposition to the project is noted and will be retained. Additionally, please feet welcome to provide comments on the rule details pertaining to the regulation of the ATV and ORV use on Cabwaylingo State Forest if you wish.

We appreciate your frequent visits to Kanawha and Greenbrier State Forests and certainly hope that you will continue to enjoy our WV State Parks and Forests.

Sincerely,

Matt Yeager, District Administrator Parks and Recreation Section

MY/wg

July 8, 2018





Wendy Greene

WV Division of Natural Resources 324 4th Avenue, Room 343 South Charleston, WV 25303

RE: Cabwaylingo ATV comments

Dear Ms. Greene,

We are <u>opposed</u> to the WV DNR proposed rule change to let people use all-terrain and off-road vehicles on the road and trail system in Cabwaylingo State Forest. We are frequent visitors to Kanawha and Greenbrier State Forests, where we enjoy the peace, quiet, trees and solitude. State Forests are viewed by many West Virginians as being almost State Parks, except for the occasional logging in State Forests. People go to State Forests to escape the noise and commotion of motorized vehicles. Allowing ATV's and off-road vehicles would ruin this.

The reason given for allowing motorized vehicles on trails and roads is that it is expected to increase revenue to the State Forest by 10 percent, from increased use of campgrounds and cabins. We wonder how the other 90 percent of campground and cabin users, who came for peace and quiet, will react to having ATV's and off-road vehicles driving through the campground and cabin areas throughout the day.

Cabwaylingo State Forest is located near the Intersection of Wayne, Uncoln, Logan and Mingo counties, in the heart of the Hatfield-McCoy Trail System. There are ample opportunities to ride ATV's and off-road vehicles without using Cabwaylingo State Forest.

We hope that the WV DNR will not allow ATV's and off-road vehicles in Cabwaylingo State Forest. Thank you for your consideration.

Very truly yours,

Dede Carney

DNR Comments

From: DNR Comments

Sent: Tuesday, July 17, 2018 4:12 PM

To: 'Joel Barnosky'

Subject: RE: Public comment

Mr. Barnosky,

Your comments relating to the proposed legislative rule for the two year pilot project permitting ATV's and ORV's on Cabwaylingo State Forest have been received. Your opposition to allowance of ATV's on state WMA's and Forests, concerns of potential expansion of this type of activity throughout the state and negative effects of ATV use getting progressively worse are noted. Your comments will be retained and considered in the future development of this pilot project. Thank you for your concerns and we certainly hope that you will continue to enjoy our WV State Parks and Forests.

Matt Yeager, District Administrator
Parks and Recreation Section
West Virginia Division of Natural Resources
324 4th Avenue, Room 219
South Charleston, WV 25303

From: Joel Barnosky < 5

Sent: Monday, July 9, 2019 1209 Market Sent: To: DNR Comments < DNRComments@wv.gov>

Subject: Public comment

The third rule is new and involves regulating a two-year pilot project permitting ATV's and ORV's on designated roads and trails in Cabwaylingo State Forest. The rule, 58CSR36, was authorized by the passage of SB 498 during the 2018 regular legislative session. It may be found here.

This is wrongful thinking. There should be no allowance of atv's or crv's on any state wma or forest. This opens the door to rampant abuse statewide. Even if this "succeeds" at this location, if more are opened, it will get progressively worse. These areas are for trees and wildlife, not lazy slobs and 4 wheeler trails, it is truly disgusting that the DNR would even consider this, and an indictment against state legislators and those on the DNR advisory board.

Thank you,

